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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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8791 7590 01/05/2007  
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EXAMINER
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GELIN, JEAN ALLAND

ART UNIT	PAPER NUMBER
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2617

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/05/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

# Office Action Summary

Application No.

10/655,959

Applicant(s)

TOO ET AL.

Examiner

Jean A. Gelin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,3-12 and 14-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3-12, 14-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This is in response to the Applicant's arguments received October 06, 2006 in which claims 1-3, 6, 8-11, and 13 have been amended. Claims 1-16 are currently pending.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claims 1, 3-12 and 14-22** are rejected under 35 U.S.C. 102(b) as being anticipated by Want et al. (US Patent Number 5,825,675; hereinafter "Want").

Regarding **claim 1**, Want teaches a portable digital device (FIG. 4A) comprising:  
at least two control devices for controlling at least two operating functions of the portable digital device (FIG. 4A, buttons 384, 386, 388; column 7, lines 21-28);

a digital display for displaying information (FIG. 4A display 380); and

a processor (FIG. 2, processor 180) for

rotating the information from a first orientation to a second orientation as a single entity (FIG. 3A to 6B; column 8, lines 11-23); and

remapping the at least two control devices to reverse their operating functions, including operating functions not shown in the digital display (for example, functions such as "UP" and/or "DOWN" depicted in Figures 4A-4B are not shown in the digital display 380, and are remapped once device is in inverted position), to allow for use of

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the portable digital device in both the first orientation and the second orientation (FIG. 4A and 4B; buttons 388 and 384; column 7, lines 43-58); wherein the at least two operating functions are selected from the group consisting of: skip forward, skip back, increase volume, decrease volume, menu display move to the right, and menu display move to the left (FIG. 3A to 6B; column 10, lines 18-39; column 7, lines 16-58) (for example, Want teaches the functions can be scrolling in any of four directions possible, column 10, line 24; therefore: menu display move to the right, and menu display move to the left as claimed).

Regarding **claim 2**, Want further teaches the limitations in FIG. 6A and 6B; column 10, lines 18-39.

Regarding **claim 3**, Want further teaches the limitations in column 10, lines 18-48.

Regarding **claim 4**, Want further teaches the limitations in column 10, lines 18-48.

Regarding **claim 5**, Want further teaches the limitations in column 10, lines 18-48.

Regarding **claim 6**, Want further teaches the limitations in FIGs. 4A and 4B.

Regarding **claim 7**, Want further teaches the limitations in FIGs. 3A-3D.

Regarding **claim 8**, Want further teaches the limitations in FIGs. 3A-3D.

Regarding **claim 9**, Want further teaches the limitations in FIGs. 3A-3D.

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Regarding **claim 10**, Want further teaches a memory (FIG. 2, memory 172) containing a key map, a first table corresponding to the first orientation, and a second table corresponding to the second orientation (FIG. 5, tables in blocks 408 and 414).

Regarding **claim 11**, Want further teaches the limitations in column 9, lines 32-55 (the displayed information is processed as bit map).

Regarding **claim 12**, Want teaches a method for reorienting a portable digital device from a first orientation to is a second orientation comprising:

(a) rotating information for display on a digital display of a portable digital device from a first rotation position to a second rotation position (column 9, lines 32-36; FIG. 3A to 6B); and

(b) reversing (column 7, lines 44-47) at least two operating functions of at least two control devices of the portable digital device from a at least one operating function to at least one other operating function (column 9, lines 37-46); wherein the at least two operating functions, including operating functions not shown in the digital display (for example, functions such as "UP" and/or "DOWN" depicted in Figures 4A-4B are not shown in the digital display 380, and are remapped once device is in inverted position), are selected from the group consisting of: skip forward, skip back, increase volume, decrease volume, menu display move to the right, and menu display move to the left (FIG. 3A to 6B; column 10, lines 18-39; column 7, lines 16-58) (for example, Want teaches the functions can be scrolling in any of four directions possible, column 10, line 24; therefore: menu display move to the right, and menu display move to the left as claimed).

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Regarding **claim 13**, Want further teaches limitations of the claim in (FIG. 6A and 6B; column 10, lines 18-39).

Regarding **claim 14**, Want further teaches the limitations in column 10, lines 18-48.

Regarding **claim 15**, Want further teaches the limitations in column 10, lines 18-48.

Regarding **claim 16**, Want further teaches the limitations in column 10, lines 18-48.

Regarding **claim 17**, Want further teaches the limitations in FIGs. 4A and 4B.

Regarding **claim 18**, Want further teaches the limitations in FIGs. 3A-3D.

Regarding **claim 19**, Want further teaches the limitations in FIGs. 3A-3D.

Regarding **claim 20**, Want further teaches the limitations in FIGs. 3A-3D.

Regarding **claim 21**, Want further teaches a memory (FIG. 2, memory 172) containing a key map, a first table corresponding to the first orientation, and a second table corresponding to the second orientation (FIG. 5, tables in blocks 408 and 414).

Regarding **claim 22**, Want further teaches limitations of the claim in column 9, lines 32-55, FIG. 4A and 4B (displayed information is processed as bit map).

### ***Response to Arguments***

4. Applicant's arguments filed October 06, 2006 have been fully considered but they are not persuasive.

The Applicant argues in substance that the claims 1 and 12 recite reversal of an operation function such as, for example, volume control or track selection. But the Examiner maintains that track selection is clearly illustrated in figs. 4 recited in rejection above.

The Applicant further argues that the result of invoking an operation function may appear on the display, but it is apparent that the operation function being reversed does not appear on the display. The Examiner does not read the preceding assertion in the claims. Appropriate reference is required.

The Applicant further argues that Want does not teach or suggest the remapping or reversal of operation functions, such as, for example, track selection and volume control. However, the Examiner disagrees with the preceding arguments because Want teaches in cols. 7 and 8 a portable computer having various buttons for user to shift, search, and display information in reverse video. Therefore, the rejection is maintained.

The Applicant further argues that in the presently claimed invention, the reversal of an operation function aids in maintaining an identical feel of the portable digital device regardless of the hand holding the portable digital device. That is, a user will not get confused by a relative positioning of controls of the portable digital device regardless of the hand holding the portable digital device. The Examiner maintains that the preceding assertion is clearly disclosed in figs. 4A and 4B of Want wherein Want teaches providing buttons that are arranged symmetrically on one side of the handheld computer both left held and right held operations can be performed in a manner which is intuitive to the user. Therefore, the rejection is made final.

***Conclusion***

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean A. Gelin whose telephone number is (571) 272-7842. The examiner can normally be reached on 9:30 AM to 7:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on (571) 272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JEAN GÉLIN  
PRIMARY EXAMINER

JGelin  
December 13, 2006

A handwritten signature in black ink, appearing to read "Jean Gelin", is written over the printed name and title.